



Much of the Decade of the 1990's Featured Coral Reefs as a National Environmental Platform and Involved NWHI

- **1994:** US Dept. of State meetings to inventory US Coral Reefs
- **1996:** Midway Atoll and surrounding reefs transferred from Navy to USFWS, by Executive Order
- **1998:** Executive Order on Coral Reef Protection established US Coral Reef Task Force

Coral Reefs as a National Environmental Platform

- **May 2000: Executive Order on Marine Protected Areas**
 - contains memoranda and instructions for “visioning” for the NWHI
- **Summer 2000: “Visioning”**
 - Held in Hawaii and DC
 - Thousands of participants
 - 80% expressed high regard for resources of NWHI



Coral Reefs as a National Environmental Platform

- **November 2000: National Marine Sanctuaries Amendments Act**
 - Gave President authority to create NWHI Coral Reef Ecosystem Reserve.
 - Mandates that NOAA initiate designation of the Reserve as a National Marine Sanctuary.
- **December 2000: Executive Order 13178**
 - Public hearings and comment for 30 days

Coral Reefs as National Environmental Platform

- **January 18, 2001:**
Executive Order 13196
 - finalized the NWHI Coral Reef Ecosystem Reserve
- **January 19, 2001:**
FR Notice to initiate Sanctuary Designation/DEIS



Executive Orders 13178 and 13196

**Established Northwestern
Hawaiian Islands Coral Reef
Ecosystem Reserve**



Executive Orders Established NWHI Coral Reef Ecosystem Reserve to:

"Ensure comprehensive, strong and lasting protection of the coral reef ecosystem and related marine resources and species of the Northwestern Hawaiian Islands."



Management Principles



**EO provides 8
main principles
to follow in
managing the
Reserve**

Management Principles

Long-term conservation and protection of the coral reef ecosystem and related marine resources and species of the NWHI



Management Principles



Using available science and applying a precautionary approach with resource protection favored

Management Principles

Culturally significant, noncommercial subsistence, cultural, and religious uses by Native Hawaiians should be allowed



Management Principles



Use geographical zoning and innovative management techniques when appropriate

Management Principles

Support, promote, and coordinate appropriate scientific research and assessment, and long-term monitoring



Management Principles



Enhance public awareness, understanding, and appreciation of Reserve resources, and the impacts or threats to them

Management Principles

**Further
restoration and
remediation of
degraded or
injured Reserve
resources**



Management Principles



**Facilitate
coordinated
management
among Federal
and State
agencies and
other entities to
provide
comprehensive
conservation**

Reserve Operations Plan

Developed in consultation with Secretary of the Interior and Governor of Hawai`i, and considering advice and recommendations of the RAC



Memorandum of Agreement

- Among the Secretary of Commerce, Secretary of the Interior, and Governor of Hawai`i
- Calls for coordinated management of coral reef ecosystems throughout the NWHI

National Marine Sanctuary
Requires Secretary of
Commerce to:

1. Initiate the process to designate the Reserve as a National Marine Sanctuary, and in doing so supplement or complement the existing Reserve.

National Marine Sanctuary
Requires Secretary of
Commerce to:

2. In consultation with the Governor of Hawai`i, determine whether State submerged lands and waters should be included in Sanctuary.

National Marine Sanctuary **Requires Secretary of** **Commerce to:**

3. "In designating and managing the sanctuary, the Secretary shall consider the advice and recommendations of the Reserve Advisory Council."

Reserve Preservation Areas

- 15 permanent, specific areas surrounding emergent lands or seamounts
- Permits may authorize certain activities if for research, monitoring, education, or management activities
- Secretary will develop straight-line boundaries



Area of the Reserve

- 50 nm from land, with parallel lines connecting non-contiguous semicircles
- Inland boundary is seaward boundary of Hawai'i State waters and the seaward boundary of Midway Atoll NWR
- Where Reserve overlaps with Hawaiian Islands NWR, the Reserve shall be managed to supplement and complement management of the Refuge to ensure coordinated conservation and management of the Reserve and the Refuge

Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve



Protection and Conservation Measures

- Commercial and recreational fishing capped within reserve using past landing records, federal fisheries limited to participating boats, spatial zoning, limitations on gear type, and exclusion of new fisheries
- Prohibited activities including oil and gas development, anchoring on coral, altering the seabed discharging material injurious to Reserve resources, removing, moving, taking, harvesting, or damaging any living or non-living resource

Protection and Conservation Measures, cont'd.

- Certain prohibited activities may be authorized by permit for research, monitoring, education, or management activities consistent with Management Principles of Reserve.

Native Hawaiian Uses

- Native Hawaiian uses of a cultural, religious, or subsistence nature may continue in the Reserve and RPA's
- The Secretary shall work with Native Hawaiian interests to identify areas where these uses may be carried out

Agency Responsibilities

- All federal agencies whose actions may affect the Reserve and any National Marine Sanctuary shall carry out such actions in accordance with applicable laws, regulations, and Executive Orders, including the EO on Coral Reef Protection and the EO on Marine Protected Areas.

National Security, Emergency Actions, and Coast Guard

- Nothing in EO intended to apply to military actions, military exercises, or to prevent the Department of Defense from conducting times of war, national emergency, or reasons of national security.
- Nothing shall limit these agencies (including Coast Guard) from responding to emergencies posing unacceptable threats to human health and safety, to marine environment, or to limit enforcement of any federal law or installing or maintaining aids to navigation.

Reserve Operations Plan

"In developing the Reserve Operations Plan the Secretary shall consider the advice and recommendations of the Reserve Council..."

- E.O. 13178 Sec 5 Implementation (b)
Reserve Operations Plan



Reserve Operations Plan Priority Issues in EO

1. Coordinated management among Reserve, USFWS Refuges, State of Hawai`i
2. Coordination among Federal agencies and National Science Foundation
3. Clean-up and prevention of marine debris

ROP Priority Issues

4. Restoration/ remediation of degraded or injured resources
5. Research, monitoring and assessment
6. Education and outreach
7. Enforcement and surveillance



ROP Priority Issues

- 8. Identification and coordination with Native Hawaiian Interests
- 9. Identification of potential tourism, recreational and commercial uses in Reserve that do not degrade resources or diminish Reserve's character

ROP Priority Issues

- 10. Use of Vessel Monitoring System
- 11. Any regulations the Secretary determines are necessary to manage Reserve
- 12. Coordination of all activities with sanctuary designation process

RAC Emphasis in ROP Includes:

- Unique nature of NWHI ecosystems
- Native Hawaiian Cultural Foundation
- Precautionary approach for management
- Notification and permitting system
- Budget priorities for implementing ROP
- Surveillance and Enforcement

ROP Includes 10 Action Plans

- | | |
|---------------------------------------|--|
| 1. Operations | 6. Mapping |
| 2. Education and Outreach | 7. Response, Damage Assessment and Restoration |
| 3. Native Hawaiian Cultural Resources | 8. Marine Debris |
| 4. Maritime Heritage | 9. Enforcement |
| 5. Research and Monitoring | 10. Designation |

Action Plan Strategies

- Provide specific detail on how to carry out each Action Plan
- Contain measures for outputs and performance measures for each strategy



ROP is a Milestone Document!



- Guides management of NWHI Coral Reef Ecosystem Reserve
- ROP a large part of all sanctuary management alternatives suggested under NEPA during sanctuary designation process

Geography

- Single Largest Conservation Area in U.S.
- 1,200 Nautical Miles Long
- 100 Nautical Miles Wide
- 3,600 Square Nautical Miles of Coral Reef Habitat
- Composed of Banks, Seamounts, Atolls, and Reefs. Only Atolls in U.S.



Biology

- 7,000 Marine Species, 1/4 of Which Are Endemic
- Nesting Ground for 90% of all Green Sea Turtles in Hawai`i
- Home to Several Endangered Species, Including the Hawaiian Monk Seal



Cultural History

- Area Used by Ancient Polynesians for Fishing, Harvesting, Residence and Navigational Study
- Polynesians Inhabited Nihoa for 700 Years
- Nihoa Has 88 Known *Wahi Kupuna* (Ancestral Sites)
- Mokumanamana Used For Spiritual Purposes; 33 Known Shrines (Marae or Ahu)



Maritime Archaeology

- At Least 50 Known Wrecks, Over 30 Sites Investigated in 2002
- Wrecks of Navy Ships, Landing Craft, Airplanes, and a two 19th Century Wooden Sailing Ships
- More Extensive Surveys and Documentation Needed



Fisheries

- Active Bottomfish Fishery
- Closed Lobster Fishery
- Very Small Recreational Fishery
- Longline Fishing Not Allowed Within Reserve Boundaries/Protected Species Zone



RAC Objectives and Roles (from EO's)



1. Provide advice and recommendations on the:
 - Reserve Operations Plan
 - Designation and management of a proposed NWHI National Marine Sanctuary
 - Fishing activity restrictions and approval/requirement of alternate gear type
 - Other prohibited activities within RPA's
 - Identification of areas for Native Hawaiian cultural uses

Additional RAC Advice Requested by NOS



- Assist in determining fishing caps
- Assist with straight-line boundaries
- Assist with research priorities
- Assist with permit criteria

RAC Objectives and Roles (from Charter)

2. Serve as liaisons between the Reserve and Community
 - Disseminate information to constituencies
 - Bring constituent and public concerns to Reserve
3. Forum for consultation and deliberation among members
4. Source of consensus advice to NOAA, recalling the Management Principles of the EO and primary objective of resource protection

Providing Advice

- Requests for information, assistance, or advice should be made in writing and be coordinated through the NOAA representative.
- Issues should be brought to the attention of the NOAA representative or Council Chair for placement on the agenda.

Providing Advice

- Provide advice directly to the NOAA representative via a written recommendation.
- Council shall make its advice on a vote of the Council
 - A quorum must be present.

Process of Giving Advice



- Signed letter transmitting resolution from Chair to Reserve Coordinator
- Reserve Coordinator sends letter to Director of NMSP with a transmittal memo
- Director provides a response via a letter to the Chair

RAC Meeting Operations

- Decisions made by majority vote
- Open to the public; notice to media
- Emergency meetings may be set
- Meetings not more than once per month
- Minutes kept, available to public

NMSP Sanctuary Advisory Council Implementation Handbook

Provides
procedures and
guidelines for
Advisory Councils
that augment
council charters



RAC Meetings to Date

- February 2001
- April 2001
- May 2001
- November 2001
- January 2002
- May 2002
- August 2002
- December 2002
- January 2003
- March 2003
- April/May 2003
- June 2003

RAC Organization

- Voting Members & Alternates
- Non-voting Members
- Council Officers
- Subcommittees & Working Groups
- Voting Seats:
 - Native Hawaiian (3)
 - Research (3)
 - Conservation (3)
 - Commercial Fishing
 - Recreational Fishing
 - Ocean-related Tourism
 - Education/Outreach
 - Citizen-at-large
 - State of Hawai`i Representative

Chair

- Schedules and sets agendas for all Council meetings with the approval of the NOAA representative
- Presides over all meetings of the full Council
- Runs meetings according to accepted meeting practices
- Signs all correspondence and documents authorized by the Council
- Generally represents the Council's interest and concerns to the public

Vice-Chair

- Serves as Chair in the Chair's absence
- Assists as necessary in performing executive duties of the Council

Council Secretary

- Assists Reserve staff in performing administrative duties as directed by the Chair or Vice-Chair
- Tracking member attendance and action items
- Assist in the development of resolutions/letters
- Assist in the finalization of meeting minutes

Subcommittees

- Composed solely of Council Members
- Official sub-units of the Council
- Subject to all requirements of the Charter
- No members may receive travel expenses
- Council may establish subcommittees as necessary to fulfill its duties
- Reserve Coordinator has the right to approve or disapprove the creation of subcommittees



Working Groups

- For specific purposes or topics that need focused attention that cannot be accomplished by a subcommittee
- May be composed of members of the Council and persons outside the Council
- Chaired by a member of the Council
- Disbands once the final advice on the particular matter is submitted to the Council
- No members may receive travel expenses



Officer Elections

- All positions are by majority vote of all 25 Council members
- Votes shall be made by written ballot
- Members not present may submit their vote in writing to the NOAA representative
- Following the first election, elections for Chair and Vice-Chair shall be held in alternate years

Officer Terms

- Chair
 - 2 year term
 - May serve max. 2 consecutive terms
- Vice-Chair
 - 1 year term initially, 2 year term thereafter
- Council Secretary
 - 1 year term
 - May serve consecutive terms

Proposed 2004 Meeting Schedule

- January 5-6
- March 1-2
- April 19-20 or 26-27
- June 7-8
- July 12-13 or 19-20
- August 30-31
- October 18-19 or 25-26
- November 29-30